A LETTER From A SCHOLLER IN OXFORD-SHIRE

to his Vnkle a Merchant in Broad-ſtreet, upon occaſion of a Book Intituled,

A Moderate and moſt Proper Reply to a Declaration, Printed and Publiſhed under His Majeſties Name, Decemb. 8. intended againſt an Ordinance of Parliament for Aſſeſſing, &c.

Sent to the Preſſe by the Merchant, who confeſſeth himſelfe converted by it.

Printed in the Yeare M.DC.XLII.

A

LETTER

from

A Letter from a Scholler in Oxfordshire to his Vnkle a Merchant in Broad-ſtreete, upon occaſion of a Booke intituled, *A moderate, and moſt proper Reply to a Declaration Printed and Publiſhed under His Majeſties Name*, Decemb. 8. *intended againſt an Ordinance of Parliament for aſſeſſing, &c.* ſent to the Preſſe by the Merchant, who confeſſeth himſelfe converted by it.

SIR,

I Received your Letter, and the two Bookes you ſent mee on Saturday laſt by the Carrier, and have ever ſince imployed my thoughts and beſt Reaſon upon them, and in ſumming up to my ſelfe the whole State of the Caſe; Which is truly the ſubject matter of this diſpute. You know, Sir, what obligations I have to you for your care and expence in my education, and for recommending mee into ſo pious and honourable a Family, and therefore would not willingly diſſent from you in an Opinion, to which (to my ſorrow) I find you ſo much wedded; But ſince you require from mee to try to perſwade my Father (whom you call Malignant) to make himſelfe a good Example in the City, by freely bringing in the 20. part of his eſtate, before the Aſſeſſors fetch it; and to perſwade, and enable mee to perſwade him to it, you incloſed the

King

Kings Declaration against the Ordinance for that Payment, and an Answer (as you are pleased to call it, a most cleare and convincing one) to that Declaration. I suppose you will sooner excuse mee for giving you my Reasons, why I cannot obey you, then for a silent sullen disobedience. And I differ from you with the more confidence, because it seemes by your Letter that I have the Authority of a Father for mee, though I have that of an Unkle against mee. Truly Sir, I am so much satisfied with the Kings Declaration, and so little with the Reply, That I cannot but thinke that the two Houses did purposely avoid replying themselves, and turn'd it over to another, as finding their side too weake to be maintained, and thinking it lesse dishonourable to be confuted by Proxie. And that the most proper Reply to such Declarations is to forbid the Printing and Publishing under paine of Plundering and imprisonment. And indeed, if all that hath beene written on both sides had beene suffered freely, and indifferently (as was required by Justice, and desired by the King) to have beene communicated to, and examined by the People (to whom the House of Commons had first (and without any president) in that way began to appeale) those Paper-bullets (as hee calls them) would have killed this Warre in the wombe, and the same People who have beene now seduced into Rebellion, would have kept their seducers to their Loyalty, whether they would or no.

I shall now come to the Reply it selfe, in answer to which, if I shall speake of things that you may conceive mee a stranger to, I shall desire you to remember how industrious a curiosity I have ever had to informe my selfe fully in all the Questions of the Times, how carefully I studied the Questions of Arminianisme, the point of Shipmony, and the disputes about Altar and Table, and then you will not wonder, if in a question which concerned as well the subsistence, as the Salvation of all the Subjects of this Kingdome, I have not beene lazy to satisfie my selfe, as well in Right as in Fact; of which though the latter (by reason of my condition) was harder to mee, yet what with my Interest in the Gentleman of the House of Commons who was my Pupill in *Oxford*, What with my acquaintance with

with ſome Exeter Colledge men, Chaplaines to ſome of the Kings Regiment (men even till now rather eſteemed Puritans, then Papiſtily affected) and by being often preſent by their meanes, where ſome diſcreet Officers of the Kings have often met; I am confident, I am ſo well inform'd, that what I ſhall ſay is come to mee by very good Conduit pipes, though I had it not from the Spring head.

Mee thinkes, if the Author of this Reply had intended, that his moderation ſhould have reacht any farther then the Title of his Booke, he would not in the very firſt lines have confuted his Title, and ſpoken ſo ſcornfully of a Declaration under His Majeſties Name, as hee doth in the Phraſe of the Pen, that drops this Declaration, and ſo falſly and maliciouſly as to ſay; It is fellow to the Tongue which cuts like a ſharpe Raſor; to ſay, that Malignity was the whetſtone, and that it cares not though it mangle Truth and goodneſſe: For ſuppoſe, that his implicite beliefe in ſome Vote of the Houſe of Commons, as when to free Sir *Henry Ludlow* for ſaying in that Houſe upon the reading of a Declaration ſent from the King encloſed in a Letter ſigned and ſealed by His owne Royall Hand and ſigner, That he that made that Declaration deſerv'd not to be King of England; they Voted as if pretending to Inſpiration, that that Declaration was not the Kings (for you know I was preſent when this was related to you the ſame night at ſupper by a Parliament man) Suppoſe, I ſay, this confidence in ſome ſuch new Vote upon this occaſion, ſhould have perſwaded him, that the King did not wholly endite it Himſelfe; yet ſince He viſibly did allow of, and ſend it, I wonder He ſhould not conceive it to be as much His, as this very Ordinance is the Act of both Houſes; Since it is more evident that the Houſes did not write this, then that the King writ not the other, and that being drawne up by their Command, and publiſhed by their Authority (as the other is by the Kings) is all that can make it theirs; And yet I beleeve a Perſon that were brought to the Barre for uſing the ſame words of their Ordinance, would not be excuſed from breach of Priviledge, by anſwering that not the Houſes, but ſome Committee, or particular Member of them was the Author of it.

Next, the King objects the totall destruction of the Liberty and Propriety of all His Subjects by the imprisonment of their persons without cause, and disposing of their Estates without Law: and the Reply acknowledges as much as the Declaration objects, by that full and sufficient Answer. What have these men to do to talke of fundamentall Lawes? It were well hee would have it moved, that an Ordinance be made, that the Lawes should no more be spoken of; for doing as they doe, they can get little advantage by such discourses; else, that the King who is sworne to protect the Law should alone not have leave to name it, were a very hard case. But perhaps the Replyer may defend himselfe by saying he imitates onely the Stile of the Psalmes, why doe the wicked take my Law in their mouth? and followes only the usuall Stile of all their Sermons, who whatsoever is sayed of wicked Kings and Persons, assume Authority to take it for granted as appliable to the Person of our gracious Prince, and of all those who venture their Lives to assist and defend Him: for to defend himselfe he may well accuse his friends, I am sure, to defend his friends, he is no other way able to doe it then by recrimination upon his enemies and for that runnes up as high as Loanes, Knighthood, and Shipmoney. His memory is very good concerning those greivances, but very ill to forget by whose just and gracious concurrence wee have beene eased both of them, and even of the feare of the like for the future; and sure, if any knowne Authors or Ministers of those Calamities remaine still about his Majestie to frame his Declarations, it hath been by their negligence, not by His Majesties opposall of their Remove and Punishment. And it is not so strange that his Majesty upon information, how grievous those pressures were to his Subjects, opposes the introducing of the same Illegalities, and miseries under no other colour then of new names, and hath learned Law enough this Parliament to know that the pretence of necessity, and *Propterea quòd Regnum nostrum periclitatur*, is no sufficient cause of levying money, either by Writ or Ordinance; As that this Author will talke of such past faults, when there was nothing then suffered by the Subject, which hath not upon the same Pretences, but with

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leſſe colour, beene ſince acted and exceeded by thoſe, who were called together to eaſe them from the like ſufferings. But alas, they onely take away mens eſtates in the defence of their propriety, and impriſon their perſons in defence of their liberty, and I beleeve will ſhortly hang them up to ſave their lives (as they already ſhoot at the King in his owne defence) for he ſayes, the Parliament (and by that throughout he meanes both Houſes) hath power not onely of liberty and impriſonment, but of life and death. Nor are we like to ſtay here, for hee ſaith, that the Houſe of Commons alone is truſted with all the eſtates of the Commons of *England*, and conſequently may ſhortly ſave the Lords a labour of joyning with them in diſpoſing of the eſtates of Commoners. And if they ſhall after pretend (as by the ſame Right they may) to a power over the lives of Commoners too, a Member of ſuch a Houſe in a perpetuall Parliament may get more Revenue and maintenance by his place, then ever any Penman of His Majeſties Declarations will doe by his. The truth is, the King and Lords both are as much truſted with the eſtates of all the Commons of *England*, as the Houſe of Commons is; neither it without them, nor they without it can diſpoſe of them: and whatſoever Rights the King hath in Him by the Law, as the choice of Counſellers and Officers, of Commanders of Forts and Caſtles, and of the *Militia* of the Kingdome, and the like; with them he is truſted by the whole Nation, and neither one nor both Houſes have any more ſuperiority over that Truſt, then he hath over any Truſt committed to them. He repreſents the people too in what the Law hath left to Him, nor doe they repreſent them in any thing which the Law hath not truſted to them.

But unleſſe ſuch Ordinances be made, the Warre cannot be maintained. I wonder, not that this Argument ſhould appeare a good one in their Army which lives by Warre, but I wonder it ſhould be ſuſpected likely to prevaile upon the Citie, which can as little ſubſiſt without Trade, as Trade can continue without Peace, and which by this Warre hath beene ſo much already diverted, that many yeares will ſcarce returne it into the former channell. I wonder the Citizens doe not conſider,

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that by this Warre their charge increases, whilest their gettings diminish: That their Traine-bands are already suspected (and perhaps will shortly be disarm'd and plundered too) and the Citie awed by *Red-coats*. That for this Warre the twentieth part of their estates is voted away, and Assessors most of one faction appointed, who may call nineteene parts the twentieth; That they are (under that terrour) imprisoned, upon grounds upon which no man should be imprisoned, and imprisoned by persons who ought to imprison no body; (for suppose both Houses had an Arbitrary power over their goods and liberties, they never claimed any till now by Ordinance, or otherwise, to transferre that power to a Committee; which yet is dayly acted by them without reporting to the Houses) and this slavery is onely evaded by saying, it is thus farre a voluntary slavery, that they may free their persons if they will by a voluntary Contribution, and that it is done to fright them from a perpetuall slavery: And truely, the Kings Atturney had no great invention, if he could not have found the same Answer to justifie all the imprisonments for Ship-money, Knighting-money, Coat and Conduct money, &c. to have beene both voluntary and necessary.

Not is this reason of maintaining the Warre any better as to the legall, then as to the prudentiall part. The King (who hath power of making Warre and Peace, which both Houses, how full and free soever they are, have not in never so just and necessary a Warre, hath no legall power to leavy money to maintaine it, without consent in Parliament. But this Warre for which this Ordinance is made, is not onely as illegall as the Ordinance it selfe; (I can make no greater expression) but it is as ungrounded as it is illegall. They first make a necessity, that they may make a Warre; and then root up liberty and property, that they may continue it: Schisme, Pride, Faction, and Ambition, were the onely grounds; Feares and Jealousies were the onely pretences; and Misery, Slavery, and Desolation, are the onely effects, of that which now to petition against is become a crime.

And if I make this appeare to you, I doubt not Sir, but you will

will then confesse, that not onely these illegall proceedings of theirs are not justified by the Warre, but that even the illegall pressures to which they have necessitated the King; (what Taxe soever He can have laid upon *Oxfordshire*, or my Lord of *Newcastle* upon *Yorkeshire*, or Sir *Ralph Hopton* upon the West) are to be imputed to the beginners of this Warre; and that both the plundering of Master *Speaker* of his Wine and his Battel-axe, and the plundering of *Brainesford*, (which though it were done to a Towne taken by assault, yet for want of other instances is twice repeated) and the danger of *London* (which hee saves was as neare to the state of *Brainesford*, as *Brainesford* is to *London*) is to be charg'd upon the same score. Let us consider the beginning of these distractions, when with so much difficulty, by so few voyces, that unexampled Declaration of the House of Commons had been spread among the people, which incited them against the established Lawes, and against the House of Lords, which would not alter what was established: And when the people, giving credit to their information, that there was no hope of happinesse for them without their concurrence, had (to the dishonour of Parliaments, and with the breach of the highest priviledges of that most Honourable Court) come downe in Tumults to make them concurre; and by affronting and injuring some of the Members of both Houses, so awed the rest, that the Army if it had really beene brought up to *London*, could have done no more (though a meere discourse concerning that was voted to be Treason.) When all these Tumults (of which I speake the more knowingly, because I was then by accident in the Court of Requests when the Rabble came up, and heard, no Bishops, no Bishops, cryed with that animosity and violence, that it rings still in my eares; and saw Sir *John Strangwayes* threatned as their enemy; and one (I thinke they called him Master *Killigrew*) laid hands on, and so much feare in the faces of some other Members, that I beleeve they hardly knew what they voted in a weeke after, and the next day saw *Westminster* Abby assaulted by the same Rabble) when these Tumults were not onely not punisht, nor the Authors enquired after, nor so much as the complaints of the particular Members

considered, but the Lords were twice refused to be joyn'd with in a Declaration against the like for the future. And this Rabble commended and stiled their friends by the most eminent Members in that House: When Justice *Long* was committed by the House of Commons for obeying a Writ sent by direction of the Lords House, and sending a watch to guard them, and the Sheriffe forbid by the same House to proceed legally against a Riot in *Southwarke*. When this countenance to Riots, and discountenance of Law had made Tumults ordinary and familiar even at the Gates of *White-Hall*, and occasioned that accusation of the Lord *Kimbolton*, and the five Members which hath been since five hundred times repeated as the principall ground of Jealousie, (though they were accused in so legall a manner, as had beene formerly accepted by the House of Peeres in the Earle of *Bristols* Case: and though the King offered them so much satisfaction for it, that any private Christian that should refuse to receive it from his equall, were in no case to receive the Communion.) Who ever after that saw the great heavies of armed men in *London*, and the multitudes of people every day flocking to them from severall Countries, and the low condition the King then was in, removing from place to place, without the convenience of ordinary Accommodation, (some of His servants leaving Him, and others refusing to attend Him) could not beleeve that He could then give them such a Terror, as no lesse then all the Castles and Forts of the Kingdome, and the sole dispose of the whole *Militia* could give them security enough against Him, who had not with, or neare Him, money enough to pay a man, nor powder enough to kill a bird; and could never have arrived at such a condition, as to be able to raise an Army, if the violence which hath beene since offered Him, had not assisted Him. Nor were the Lords then so afraid of the King, or yet so afraid of the people, as to demand so unreasonable security; so that the House of Commons having twice in vaine attempted their consent, were faine to aske it of His Majestie alone. But when after the usuall *Scrutinies* came up to them with a Petition, seconded and countenanc'd by the House of Commons, demanding those Lords names who refu-

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sed to joyne; This Eloquence prevailed, or rather this *Militia* made the other passe; and in a few dayes (the King granting most, but not all they askt) the Lords (who were unwilling to put the people to the trouble of comming againe) joyned in Declaring, (and were as good as their words) that if the King would not consent, they would put the *Militia* in execution without Him. Thus illegally was that Ordinance past both Houses, which would have been most illegall, however it had past. Thus was the Kings highest Right, His Negative voyce, and in the highest point (which alone enabled Him to defend the rest) forced from Him. Thus was *England* put in Armes without His consent, whose Commission onely could legally warrant the least Assembly in that kinde; and a few Officers by His command in a peaceable manner, attending Him at *Kingstone* for His security, was voted leavying of warre against himselfe; and this was the first beginning of this necessary warre, which now must make all things lawfull in order to that necessity: Whilest the King presses still His Message of the 20 of *January*, that Hee may but know what they would have, and is not thought worthy of an Answer. But to justifie their actions by their feares, Armies are daily dreamed from beyond-Sea, (though they have laine wind-bound ever since) because all the world saw He had nothing in *England* He could fright them with; but still the lower He was, the higher they grew; and the more they contemned Him, the more they feare Him: Nothing that He can doe will satisfie them; Nothing that He can say shall satisfie the people, for they shall not be suffered to see it. Care is taken by order to the severall Burgesses, That all the Townes of *England* must heare of His comming to the House of Commons; and that in a manner in which he did not come. But His sorrow that He hath by this broke any Priviledge, His offers of satisfaction for it, and His Resolution both to observe and defend them all for the future; If this bee printed and offered to be publisht, His Secretary must be questioned for sending it to the Sheriffes by His Majesties Command, and the Sheriffes forbid to publish it according to the Kings owne Warrant, and sent for as Delinquents if they doe.

Would he have my Lord of *Newcastle* command his Towne? He must not. Would he not have Sir *John Hotham* command it? He must. Dares he not come to *London*? He must. Would he be wayted on in the Countrey by his meniall servants? He must not. Will he not choose such Officers and Counsellors as they will name, and displace such evill Counsellors as they cannot name? Then the prevalency of the Malignant Party is cryed out upon; His not encountring Colonell *Burges* and Captaine *Venne* in the head of their *Mirmidons*, is called deserting His Parliament: The Rebellion of *Ireland* (which he had disarmed himselfe to resist) is laid to his charge, and his offer to venture His Royall Person against the Rebels there, is voted to be an encouragement to that Rebellion. If He deny or delay any thing they aske, though never so much in His power to grant or deny, a new Vote passes upon the Advisers, of being enemies to the State; and (having once found that Word to have great influence upon the people) whatsoever He sayes or does, He cannot but breake their Priviledges; and whatsoever they say or doe, they cannot breake His. And indeed their observing no Rule at all in their Votes, and the peoples readinesse to observe all their Votes as a Rule, had so hated Him and all His servants, that I had rather be not onely Master *Pym*, or Master *Hampden*, but Master *Cromwell*, or Master *Pury*, then King of *England*, *Scotland*, *France*, and *Ireland*, in so sad and distracted a condition. And I wonder not when they asked Him His Crowne in the Nineteene Propositions, that they thought they had made Him weary enough of it, to part with it for asking. Still the *Militia* is every where prest't, and Sir *John Hotham* having before pretended to keepe *Hull* for the King, now keepes the King out of *Hull*, though He offered to enter but with twenty servants; He is justified in it by the Houses, and the Houses slander themselves that they may justifie Him, and acknowledge a direction they never gave. Upon this He takes to Himselfe a much smaller Guard then they had daily kept together many moneths at *Westminster*. This is voted an intention to leavy Warre against His Parliament, and the Sheriffes are ordered to suppresse it. All this while (to prepare the people to

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suffer any wrong to be offered the King? the Presses and the Pulpits (the two seed-plots of this Warre) had swarmed daily with slanderous Invectives against His Majestie: (besides Declarations of a strange nature.) And if any grave pious Ministers did write, preach, speake, or almost thinke for the King, he was accused by the factious part of his Parish before the Committee for scandalous Ministers, and their meere receiving and countenancing of such an Accusation, (though their leisure would not admit him to cleare himselfe before them) was enough to blast Him with the people.

After this, all that could be taken of the Kings, or any of His Friends, Armes, Goods, Ships, any thing is good prize; and (as if the Maxime were inverted, and Hee now could receive no wrong, who was wont He could doe none) they proceed really against Him (though in pure civility they past no such Vote upon Him) as an enemy to the State. And at last, having protected all Delinquents against Him and the knowne Law, and voted all Delinquents who had refused to become so by submitting to their illegall commands: Though the King had for His Guard onely one Regiment of the *Yorkshire* Traine-bands, and one Troope of Horse, Volunteirs of the Gentlemen of that Countrey. And though the King never protected any man, till Sir *John Hotham* was denyed to be brought to a Legall tryall; yet an Army is voted to be raised to defend them from the King and His Cavaliers, and to fetch up His Majestie and His fellow Delinquents. Yet to this Vote His Majestie opposes onely His owne Declaration, and that of the Lords with Him, (who saw best what was done towards it, being upon the place) that he had no such intention as was pretended; and till contributions were raised to raise men. He desired no contribution to be prepared by His friends for Him; and till he had leavyed men, and mustered them in some number, He gave not out so much as one Commission to leavy a man; But then (not thinking it needfull to stay till my Lord of *Essex* should come and take Him *En Cuerpo*, that He might satisfie the world how defensive the Warre was on His part) He grants out Commissions, but then grants not any to any Papists; and takes all possible care, and gives all possible Orders, that they entertaine

no Souldiers of that Religion: yet these men (who well may couple Peace and Truth together, for their actions and words have a long time shewed that they love them alike) charge Him to the people in dayly Declarations of raysing an Army of Papists against the Parliament; which makes it the lesse strange, if His Majestie (soe consented to have the assistance of some Papists, (for they are not so many as you thinke for) since He saw that without their assistance Hee could not avoyd all the scandall, which having it could produce, especially since Hee saw many of that Religion were entertained in their Army; (having taken at *Edge-hill* severall *Walloons*, *English*, and *Irish*, of that Religion, who confesse of many more:) And since He saw a great part of the rest to consist of another kinde of Recusants, which by the Law of this Kingdome not onely ought not to be armed in it, but not to remaine in it at all. Well, His Majestie is come to *Nottingham*, and though He was confident the Commissions Hee had sent forth, would timely enough bring Him in a sufficient Army to beate theirs; (as the event hath since shewed) yet preferring Peace even before Victory it selfe. He sent twice to desire it (I had almost said to petition for it) from both Houses: How it was received all the world knowes. After this He meets them, He fights with them, He beates them, (of which the suffering their Ordinance to be taken away next morning before their faces, the quitting *Banbury* which they came to relieve, and marching to *London* themselves in stead of bringing the King up thither, was so great a proofe, as farre out weighs the single assertion of my Lord *Wharton*, or my Lord *Brooke* to the contrary.) He is still constant to His Principles, and (though after a Victory) gives a quite other kinde of Answer to their Petition at *Colebrooke*, then they had done to His Message from *Nottingham*. Whilest the Committee was with Him there, part of their Army marcheth out of *London*; That Hee might not be inclosed on all sides, Hee marches to prepossesse *Brainteford*, (but at the instant sends word of His march, and the reason of it to the Houses) Hee found them there, He beates them out; And if His intention had beene to have marcht on and sacked *London*, what altered

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that intention? Could He thinke Himselfe so much weaker by the losse of ten men, or them so much stronger by the losse of two of their best Regiments, besides their losse by wintry, as for that reason to change His minde? No: Assoone as He found *Kingston* quitted behinde Him, before any approach or notice of any Forces of theirs, He gives orders to march away. He againe and againe repeates His desire of Peace, which is so farre from being accepted, that the *English* Petitioners are threatned, hurt, and imprisoned, for desiring it too, and a *Scotch* Army is invited to continue the Warre. But I hope our brethren will remember that those against whom they are called, have paid and are to pay them more of the brotherly assistance then those that call them; and these men will finde themselves as much deceived in their hopes of their owne forreigne Forces, as they were in feare of the Kings, and that the *Scotch* will stay till the *Danes* come.

To summe up this point, If to take away by force all the others just Rights, be to begin the War, His Majestie is not the Aggressor: If to have a Guard first be the beginning of the Warre, (as the Replyer pretends) certainly this Warre began at *London*, and not at *Yorke*; the first being raised by the power of a Committee, upon some thing (which after came to nothing) fetcht as farre off as *Edenburgh*: If the raising men first by Commissions were to begin it, it was begun there too: If the denying of Delinquents to be legally tryed were to begin it, *London* was the place, and Sir *John Hotham* the person, where and for whom it was first begun: If the eagernesse of continuing can shew who begun it, does not this Aversion from Peace declare sufficiently that they begun the Warre, who now so carefully nurse their owne childe? And I suppose no indifferent person can thinke these visible Arguments confuted by the Replyers wonder, and his onely Arguments in the Reply to the contrary, which are, a Tale of a Papist in *Yorke*, that should say, *Let the Scots try it*; (when it were little to any other purpose whether a Papist had said so, then to shew by the Kings backwardnesse to follow this Councell, that the Councels of Papists were more prevalent with the Parliament, then with Him:) And of Sir *Francis Worsley*, drawing his Sword, and saying, *Who is for the King?* When it is well knowne at *Yorke*, that this was

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not said at all by him: and that what was said and done, was to a very Different end: But indeed upon such an information upon hearesay, (which M. *Rushworth* brought from *Yorke* in short hand) S. *Francis* was likely to have beene accused of high Treason, but it being put off for that time, the truth was discovered, the Relator was ashamed, and Sir *Francis Wortley* never further accused for it.

Yet as little as he can say to prove the War begun on the Kings part, and as much as is said to prove the contrary, he hath the face to compare the Kings making Warre upon his Parliament to Sauls hunting of *David*, and that, as if the case were so exactly the same, that nothing but not having heard of the Bible could make us not know it. You tooke, I thanke you Sir, very early care, that I should not be unacquainted with the Booke hee speakes of, and I wonder not, (knowing it soe well as I doe) that he should be better able to justify this Rebellion (though this case too differs wholly from that there quoted) out of *Bodine*, then out of the Bible. A Popish Author is fittest to justify that which hath been raised out of Popish Principles. But to returne to *David*; Had hee ever given *Saul* any cause to feare him by spreading Declarations, or raising and encouraging *Tumults*, against him and the established Laws? Had he nothing to make him apprehend *Saul* but meere feares and Jealousies? Did *Saul* attempt him with an Impeachment, or with a Iavelin? And did hee ever offer after to quit him by a Bill? Did *David* upon his Apprehension seize the Cittadell in *Jerusalem*, and keepe *Saul* out with armed men? Did hee seize his Armes, Goods, and Ships, and then justify the seizure by saying, Hee tooke from him not the Property, but the mischiefe? or fly into a remote Cave for security? Did hee invade *Sauls* Priviledges, and deny him a Negative voyce? Did he pretend to command the *Militia* of all *Israel* without *Sauls* consent? Did he ever demand from him such 19 Propositions, as the onely way to compose differences betweene them? Did hee raise an Army to fetch those evill Counsellors from about *Saul* who had perswaded him to seeke his life? Did hee pursue him with it, and give him battaile, and then charge the malignant Party about him, for going about to destroy him, by bringing him

betweene

betweene the two Armies, and so into the danger of that Destruction? Or did his heart smite him for cutting but the Lapp of his Garment? Did *David* ever reject such Messages from *Saul* as that of the 20. of *January*, and those from *Nottingham*? Or did hee ever imprison any of his followers for desiring an Accommodation? Certainly who ever hath read that story and seen this, will find a wide difference betweene what the *King* did, and what was done to Him; and *Sauls* Provocations of *David*, and *Davids* returnes towards *Saul*. And who ever had waited on the *King* this last yeare from place to place, would easily conclude, whether Hee or the Parliament were hunted most like the Partridge.

Yet, Sir, I charge not the Parliament with this. The Replier thinkes not so well of, and wishes not so well to that honorable Assembly, as I doe: Nothing offends me more in the present Actions of the remayning part of the Parliament, then that by them they furnish those who wish Parliaments but ill, with Arguments to infuse into Princes an ill Opinion of Parliaments, and furnish Princes with Principles which with more pretence may be applied by them to the Destruction of their Subjects. Parliaments are indeed the Roote of our Propriety, and their genuine Priviledges are the Roote of Parliaments. But the Parliament consists of three Estates, and for any two to deny the third his just Rights and Priviledges, And for one, or both, or a part of both or either, a Committee, to usurpe the Rights and Priviledges which belong onely to the whole Three, is the way to roote up both Priviledges, Property, Parliaments, and all; and to make the People more weary of their Physitians, then they were before of their diseases. Who knows not that the House of Commons consists of neere five hundred Members, and that usually fourescore is now counted a full House, and that if at any time they make one hundred and forty (as for a rare instance, the Replyer tels us of once or twice, and that onely by report) it is when the military Members are sent for up from the Army to pay their gratitude to their new profession by opposing of Peace? And that many of those, who are present, do not beleeve themselves secured by their Army, though they are too much frighted to dare to complaine of feare? And can it be thought that so many persons of Honour, trusted

by their Country, would be absent from the service of it, if they thought the worke now in hand so necessary to the Publike defence of Religion, Lawes, Liberty, Property, and Parliaments, and that the highest service they could doe them were to countenance the present cause with a full House, as they must do, if they were of the same opinions with the remaining Parties? and on the other side, if they be confessed to be of contrary opinions, can it be thought, that so many as are able to make up a major part (for that is most true still as to the House of Commons, though they have put out a great number, because their Conscience bound them either to defend their King, or not to assist against him, and it is evidently true as to the House of Lords) would not have chosen rather to have stayed and hindered this warre, or yet to come up and compose it, by over voting the rest, if they had not knowne or did not know, that then and now the tumults, and the Redcoats had and will have the casting voices in all such Debates? And if the Example of Sir *Sydney Mountague*, by so much as the Replyer confesseth, did not shew them, that if they came not all at a time, any single men that should refuse to sweare to assist them, in that which already by severall Oathes they are bound to resist, and being ask'd their reason, should say that which their absence hath exprest, then beleeve the Statute of 25. *Edw.* 3. before some late Ordinances, and call a Spade a Spade, and Treason Treason, they should but change their place in the House for one in the Tower: since my Lord Kimbolton himselfe upon such an occasion could not save his uncle, though he could his Father. And indeed who ever observes the Differences betweene the Actions of the House, will find something to have interceded besides time, and that either they are not composed of the same men, or the same men have not the same Freedome. In a fortnights space the Lords House twice denyed to aske the *Militia* of the King, and declared that they would put it in Execution without Him. In two monthes time the Lords House desired the House of Commons to joyne with them in a Declaration against Tumults (with reasons expressing a great sence how scandalous it would be even to the past Lawes made by this Parliament, if such meetings were not suppresst) and joyne with the House of Commons in a Declaration to his Majesty denying that there had beene any Tumults, and justifying those meetings

tings which they had called so before. When His Majestie was going into Scotland, it is well knowne that the principall reason upon which both Houses prest his stay, or to have a *Custos Regni* in his absence, was that without His authority concurring, money could not be raised in that time of extreme necessity: and yet it seemes they have now discovered, that His absence From, is a desertion Of His parliament; and that This and Necessity sufficiently enables them by the fundamentall Law to impose Levies, and other Lawes upon his Subjects, without his consent, and contrary to His Command: and that the case is now the same as in the minority of a King, though even then Sir *Simon Dewes* himselfe cannot produce one Record, that ever any such Levie was made by both Houses alone, without the concurrence of the Royall assent by some Protector. It is well known by the many long Debates about it without prevailing, what little hopes at first appeared in the House of Commons, that the Bill against Bishops Roote and Branch, should passe in that House; that a clause to that purpose was dasht even out of their first Remonstrance, when they appeare not to have beene in any humour of complying beyond their ordinary inclinations; and how impossible it appeared for a long time after, that such a Bill should ever passe in the House of Peeres, not six Lords then appearing of that mind, and yet since a Declaration is past, and a Bill is passing both Houses to that purpose. They past a Bill upon my Lord of *Strafford*, of which the principall ground was, that he had said, That the King having endeavoured to have the assistance of his Parliament in extreme necessity, and for the defence of Himselfe and Kingdome, and being deserted by them, was absolved from all the Rules of Government: and yet since (as if His Judges had beene His Successours, and had cut off His head onely to take out His Principles) they upon the same pretence have absolved themselves from all Rules of Obedience, and onely differd in not using the power of their claime, with the limitation he gave, that is, *Candide & Caste*: Nor is this onely since an actuall Warre, (though that being begun by them is no excuse) but when all was quiet, and no danger but from feares, *Mr. Horhams* Letter (in answer to a Complaint he expected from the Inhabitants of *Hull* for some violent and illegall actions) was read and not re-

 proved

proved in the Houſe of Commons, ſaying, that he hoped, ſince what hee did was in order to their commands, they would not ſtand upon the formalities of Law and Lawyers.

Sir, It is true, thoſe formalities are now wholly laid by, but till wee ſhall returne to them, and by them to ſome knowne Rule, we ſhall have a moſt miſerable forme of Government. If we fight yet another yeare in this Kingdome, by that time this Kingdome will not be worth fighting for; And when thoſe Armies which ſhall have impoveriſhed you by their Pay, ſhall have kept the Land from being tilled by their terrour (for the Countriman will not ſow what he cannot hope quietly to reape) as omnipotent as an Ordinance is, it will not be able to forbid a famine, and to ſecure you from ſterving by the Authority of both Houſes: you may yet ſecure your ſelves if you pleaſe; Make but good your Proteſtation; let not *London* help to undoe it ſelfe, and the Country, and the thing is done. Defend the Religion eſtabliſhed, Suffer not Alderman *Pennington* (ſo known a Browniſt and deſpiſer of the Common-Prayer, that the Replyer hath done his beſt to prove him none, when hee hath beene able to name one time in which he could bring himſelfe to endure to be preſent at ſome twenty lines of it in the Houſe of Commons, as good an argument as he is a Major) to encourage a Rabble of the ſame opinion (whom I will name, when he names that new Truth which hee would have joyned to our Peace) to ſuppreſſe That, and the Act of Parliament that appoints it. Defend your Liberties, and ſuffer not a cloſe Committee (for your laſt journall tells us, that ſuch an excluding Committee there is, and that they commit men by their owne Orders, as Colonell *Browne* for one, whether that be the ſame with the Committee for Examinations is not much materiall) which by the courſe of Parliament can have no other power derived to it, then to conſider and report; to impriſon you by no Rule, but that of their diſcretions (which is more then they from whom they have their power have right to doe) nor ſuffer an Order of the Houſe of Commons to ſtoppe *Habeas Corpuſſes*, the Birthright of every Subject. Defend your Propriety, and ſuffer not the Twentieth (or as much as they will call the Twentieth) part of your Eſtates to be taken from you, by ſo inſufficient an Autho-

riy,

rity, upon so invalid security, for so rebellious an end, as are an Ordinance, publique Faith, and this present Warre. Defend the Priviledges of Parliament, and His Majesties Honour and Rights, and joyne not to take away His Majesties negative voyce, by submitting to that Authority, to exclude Him as no part of the Publique; by accepting of that Security, to include Him among the publique enemies, by contributing (beyond your Abilities, and contrary to your Duties) to a Warre against Him. Let not your money and Plate be turned into the price of the bloud of your fellow Subjects. Suffer not a few men to set a whole Kingdome on fire to roast their owne egges by it; at least, become not you the incendiaries, by ministring fuell to this publique fire, which else must instantly goe out of it selfe; and give the King but what is his, that you may keepe what is your owne. Who can secure you, that his Majesty may not prevaile by Force? And if he doe, (after so many desires of Peace, and proffers of Pardon) who can secure you from an offended Prince, and a victorious Army, that your Citizens shall not be destroyed, and your City Ashes? Who can secure you (who believe His Protestations no better) that if he come once againe to governe by the help of an Army, that he may not be tempted to governe always by one, and learne of you to declare Necessity, and rule according to those Principles, which you have taught Him to be lawfull by the fundamentall Lawes in times of Necessity, and accept of no security from future Rebellions, but such as shall leave us none from future oppressions? Who can secure you, that if the Papists have assisted Him in the actuall Recovery of His Crowne by force, in so great an exigent, (and in so great numbers, as you would have us thinke they doe) that his Gratitude to them may not be a temptation, to encline Him to such favours towards, and trust in them, as may in time be more prejudiciall to us, and our Religion, then Hee may either discover or suspect? But who can give you hope, if the Rebels prevaile, that the close Committee will be ever content to be private men againe, That the Parliament shall not be everlasting, and their necessity, and your pressures as everlasting as the Parliament; and that you shall not suffer more under the Tyranny of many, then any one (how witty and industrious soever in it) can

inflict upon you besides the perpetuall danger of Warre from abroad (from the potent Allies to the Crowne, who for the generall interest of Princes, and hope of particular Advantages, will be alwayes ready to assist the discontented party here in the recovery of the just Rights of it for the King and His Posterity) and of Schisme and Faction at home, and many other evils not to be particularly foreseene, which will undoubtedly arise from the totall alteration both of Church and State: whereas if such moderate and equall proportions shall be offered, as may and ought to produce a Peace, either they will be accepted, or refused. If they be refused, your cause will be mended, and your Power increased: If they be accepted, the Armies will be disbanded: Poore *Magna Charta* (which hath of late beene so crusht betweene two severall supposed Necessities) will be againe in Credit and estimation, and will be preserved in it by Trienniall Parliaments; And the people having now so full a sence of their Liberties, and His Majestie having such experience, how much it endangers the Prerogative to encroach upon those Liberties, & being restored to that sweetnesse of honour and quiet, which no reasonable man thus warned, will endanger, and quit, for a possible encrease of unnecessary power, there will be little cause to feare any slavery for the future, and the King will have no more temptation or meanes, then I hope Hee hath will to oppresse us. Then the Papists (when Peace hath resettled the Lawes to secure us from them for the present, and the Law, (of which His Majesty hath shewed Himselfe so desirous) for the education of their children in the Protestant Religion, will (when it is past) secure us from them for the future; and then the Government of both Church and State being new settled in the old way, the King may againe be honoured, the Parliament againe respected, Ireland regained, and this Kingdome happy, Which God of his mercy grant. *Amen.*

Sir,

I confesse, I have beene transported into an unusuall stile, and lesse remembred to whom, then against whom I writ this. But I beseech you pardon mee for it, since it is my affection to you, and desire to

diſengage ſo good a man from ſo ill a cauſe, that hath ſo tranſported mee. Nor would I have hazzarded your diſpleaſure, and the loſſe I may ſuſtaine by it, If I had not beene farre more concern'd to ſave your ſoule, then to inherit your eſtate. And ſo Sir, beſeeching you to commend my duty to my Aunt, and God to have you both in his holy Protection, I remaine

Your moſt affectionate

and dutifull Nephew.